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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,138	06/21/2005	Georg Riescher	4100-357PUS	8881
27799	7590	06/14/2006	EXAMINER	
COHEN, PONTANI, LIEBERMAN & PAVANE 551 FIFTH AVENUE SUITE 1210 NEW YORK, NY 10176			FERGUSON, MARISSA L	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 06/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

11A

**Office Action Summary**

Application No.

10/540,138

Applicant(s)

RIESCHER ET AL.

Examiner

Marissa L. Ferguson-Samreth

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 11-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 April 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |  |
|--|--|
| <p>1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br/>Paper No(s)/Mail Date <u>6/21/05</u>.</p> | <p>4) <input type="checkbox"/> Interview Summary (PTO-413)<br/>Paper No(s)/Mail Date. _____.</p> <p>5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p> <p>6) <input type="checkbox"/> Other: _____.</p> |
|--|--|

### **DETAILED ACTION**

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the drives of the printing cylinders arranged on the stand in claim 21, must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2854

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

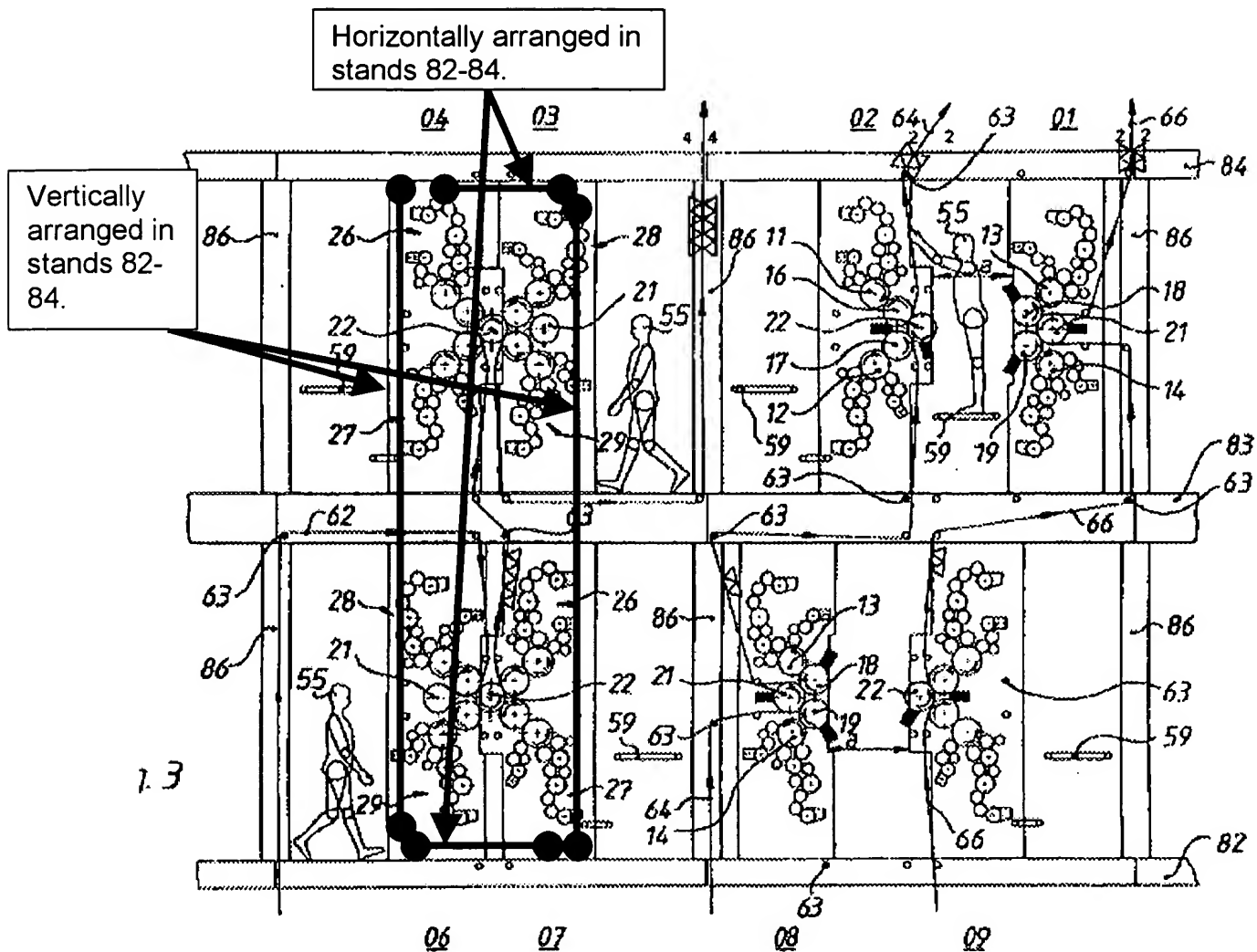
Claims 11, 14-17, 20 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Weschenfelder (US Patent 6,539,857).

Regarding claim 11, Weschenfelder teaches a stand (82-84 and 86) having a drive side and an operating side, at least one crossmember (lateral frames 23 and 24 function as crossmembers) arranged at each of the sides of the stand and printing cylinders mounted in the crossmembers and forming a structural unit with the crossmembers such that the structural unit comprising the printing cylinders mounted on the crossmembers is removably received in the stand (Figures 3 and 4).

Regarding claim 12, Weschenfelder teaches wherein a printing cylinder comprises rubber cylinders (16-19 and Column 2, Lines 61-62) arranged for printing on one or both sides of the web (62, 64) running therebetween.

Regarding claim 14, Weschenfelder teaches wherein a crossmember is aligned one of horizontally and vertically in the stand (refer to figure on page 4 of office action).

Regarding claim 15, Weschenfelder teaches wherein the printing cylinders are arranged in a line on the crossmember (Column 4, Lines 1-19, Lines 26-45 and Figures 3, 4).



Regarding claim 16, Weschenfelder teaches wherein the printing cylinders are arranged crossed in any direction or at angles to one another (Column 4, Lines 1-19, Lines 26-45 and Figures 3,4 ).

Regarding claim 17, Weschenfelder teaches subunits comprising auxiliary subassemblies (inking units 26-29 and dampening units 31-34) necessary for the printing process, the subunits being replaceably arranged between the crossmember and the stand (Figures 3 and 4), and abutting a respective plate cylinder of the printing cylinders, and wherein the auxiliary subassemblies include dampening and inking units.

Regarding claim 20, Weschenfelder teaches wherein drives of the printing cylinders are arranged on the crossmember (gearwheels 77,78 are arranged on lateral frames 23, 24 and refer to column 3, Lines 14-62).

Regarding claim 22, Weschenfelder teaches wherein at least one printing mechanism including a rubber-covered cylinder (16-19), a plate cylinder (11-14) arranged on the crossmember (Figures 1-4), and at least one drive for the at least one printing mechanism arranged in the crossmember (Column 3, Lines 14-62) and a drive being positioned at a center of the plate cylinder and driving one of the plate cylinders and the rubber-covered cylinders (Figure 5).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Weschenfelder (US Patent 6,539,857) in view of Kamoda (US Patent 6,883, 429).

Weschenfelder teaches the claimed invention with the exception of at least one of the rubber-covered cylinders is an impression cylinder. Kamoda teaches a printing machine with a rubber impression cylinder. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the invention as taught by Weschenfelder to replace the impression cylinder thereof with rubber

impression cylinder as taught by Kamoda, since Kamoda teaches that a rubber surface provides good adhesion properties for transporting the print medium.

4. Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weschenfelder (US Patent 6,539,857) in view of Ishii et al. (US Patent 4, 691, 631).

Weschenfelder teaches the claimed invention with the exception of rubber-covered cylinders that are mounted in a swinging arm for pivoting and wherein the swinging arm is pivotable about an axis of a plate cylinder associated with one of the rubber-covered cylinders. Ishii et al. teaches rubber cylinders that are mounted to several elements that can function as a swinging arm (11, 29, 54, 56, 57) that pivot and wherein the elements are pivotable about an axis of a plate cylinder (Column 7, Lines 41-59). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the invention as taught by Weschenfelder to include pivotable linkages as taught by Ishii et al., since Ishii et al. teaches that it is advantageous to provide smooth engagements between the rubber and plate cylinders.

5. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Weschenfelder (US Patent 6,539,857) in view of Bowman et al. (US Patent 4, 831, 926).

Weschenfelder teaches the claimed invention with the exception of drives arranged on the stand. Bowman et al. teaches a printing apparatus with a drive system mounted on a frame (51) that supports cylinders (Column 9, Lines 61-68 and Column 10, Lines 1-23). It would have been obvious at the time the invention was made to a

person having ordinary skill in the art to modify the invention as taught by Weschenfelder to include a drive system mounted on a frame as taught by Bowman et al., since Bowman et al. teaches that it is advantageous to provide a cost effective and simple construction.

### **Conclusion**


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa L. Ferguson-Samreth whose telephone number is (571) 272-2163. The examiner can normally be reached on (M-T) 6:30am-4:00pm and every other (F) 7:30am-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Marissa L Ferguson-Samreth  
Examiner  
Art Unit 2854

MFS

  
Daniel J. Colilla  
Primary Examiner  
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